

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:)	
)	Bky. No. 03-40673-NCD
Cristina Renee Hanson,)	Chapter 7
)	
)	REPLY OF DEBTOR'S
)	ATTORNEY TO TRUSTEE'S
)	RESPONSE TO MOTION TO
Debtor.)	WITHDRAW AS COUNSEL

TO: Julia A. Christians, Chapter 7 Trustee; Habbo G. Fokkena, U.S. Trustee; and any other party entitled to notice.

1. The reasons for the debtor's attorney to seek to withdraw as counsel for the debtor were discussed on the record at the hearing on the trustee's objection to exemptions which occurred August 4, 2004. At the hearing, the debtor's attorney stated that it appeared he may become a witness in the case, and that he would probably need to withdraw, and that the debtor would need to retain a different attorney to represent her. The debtor was present at the hearing, as was her personal injury attorney Greg Malush.

2. The chapter 7 trustee's response makes clear she believes that the debtor's attorney is a witness to a disputed fact issue, which the trustee states is how could the debtor's attorney "not have known of the personal injury claim and why he prepared and filed schedules that failed to list it." See Trustee's Response, p. 1 – 2. This puts the debtor's attorney in conflict with his own client. Therefore Rules 1.7 and 3.7, Rules of Professional Conduct, require that the debtor's attorney be allowed to withdraw.

3. The trustee's response, in its first paragraph, implies that the trustee agrees with the motion to withdraw. The remainder of the trustee's response appears to

discuss matters which are not properly before the court, in a motion to withdraw.

Respectfully submitted,

October 5, 2004

Date

/s/ Craig W. Andresen
Craig W. Andresen, #186557
Attorney for Debtor
2001 Killebrew Dr., Suite 330
Bloomington, MN 55425
(952) 831-1995

In re:

U.S. Bankruptcy Court
District of Minnesota

Cristina Renee Hanson,

UNSWORN DECLARATION
FOR PROOF OF SERVICE

Debtor(s):

Case No. 03-40673-NCD

I, Catherine E. Clausen, employed by Craig W. Andresen, attorney licensed to practice law in this court, with office address of 2001 Killebrew Dr., Suite 330, Bloomington, Minnesota 55425, declare that on October 5, 2004, I served the annexed Reply of Debtor's Attorney to Trustee's Response to Motion to Withdraw as Counsel upon the debtor, and any parties entitled to notice, by U.S. Mail, and also upon the U.S. Trustee and Chapter 7 Trustee by facsimile transmission, as stated below.

Habbo G. Fokkena, U.S. Trustee
(612) 664-5516

Julia A. Christians, Trustee
(612) 338-6651

Cristina R. Hanson
222 – 1st Street E.
Milaca, MN 56353

American Express
c/o Becket & Lee LLP
P.O. Box 3001 Dept.
Malvern, PA 19355-0701

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed: October 5, 2004.

Signed: Catherine E. Clausen